



COMMONWEALTH of VIRGINIA

Douglas W. Domenech
Secretary of Natural Resources

Department of Game and Inland Fisheries

Robert W. Duncan
Executive Director

September 15, 2011

Colonel Parks H. Snead, III
Chief of Police, City of Lynchburg
905 Court Street
Lynchburg, VA 24504

Dear Chief Snead:

The City of Lynchburg Police Department was initially granted authority to issue deer kill permits in 1992 in a letter to Chief Joseph Seiffert by then-Agency Director Bud Bristow. The terms and conditions for that authority were last formally updated in a letter to Chief Charles Bennett from Captain John Heslep in September 1995. The City of Lynchburg has since developed a very successful urban deer management program that is a model to the rest of the state. Since a number of other Virginia cities and towns have also initiated urban deer management programs, including issuance of deer kill permits, and we have recognized a need to standardize the terms and conditions under which that authority is granted for issuance of kill permits. These revised terms and conditions were written to emphasize compliance with the Code of Virginia (Section 29.1-529), to re-enforce the focus on killing of antlerless deer, to encourage the use of legal hunting methods by licensed hunters during the open hunting season, and to minimize opportunities for potential abuse of the process that may not withstand public scrutiny.

Effective immediately, the City of Lynchburg is authorized to issue Official Kill Permits for deer damage in accordance with the attached City of Lynchburg Kill Permit Terms and Conditions dated September 15, 2011. We are pleased to be able to continue to assist the City of Lynchburg in its efforts at deer population control.

If you have any questions about the attached Terms and Conditions, you may contact Captain Tony Fisher at the Forest Regional Office. His telephone number is (434) 525-7522.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Duncan".

Robert W. Duncan
Executive Director

RWD/ag

c: **Captain Tony Fisher**
Jim Bowman
Dan Lovelace
Matt Knox
Nelson Lafon
Colonel Dee Watts

City of Lynchburg – Official Kill Permit Terms and Conditions
September 15, 2011

1. The Chief of Police or his designee shall investigate all deer damage complaints and issue all deer kill permits.
2. All kill permits shall be issued on the Official Kill Permit form provided by the Department of Game and Inland Fisheries. Immediately after a permit is issued, the pink copy of the permit shall be forwarded to Matt Knox at 1132 Thomas Jefferson Road, Forest VA 24551. Due diligence will be used to collect and record permit information. Upon expiration of the kill permit, the original copy shall be submitted to the same address without unnecessary delay and shall include a record of the number of deer killed.
3. Kill permits for deer may be issued when:
 - deer are damaging fruit trees, crops, livestock, or personal property used for commercial agricultural production
 - deer are causing damage to residential plants, whether ornamental, noncommercial agriculture (e.g., vegetable gardens), or other types of residential plants
 - whenever deer are creating a hazard to the operation of any aircraft or to the facilities connected with the operation of aircraft
 - whenever deer are creating a hazard to the operation of motor vehicle traffic within the corporate limits of any city
4. Whenever deer cause damage on parcels of land five acres or less, except when such acreage is used for commercial agricultural production, persons authorized to investigate the damage shall have the discretion as to whether or not to issue a kill permit.
5. Kill permits may specify in writing the number of deer to be killed and the period of time for which the kill permit is effective. Kill permits shall specify in writing that **only antlerless deer shall be killed**, unless there is clear and convincing evidence that the damage was done by deer with antlers (e.g., antler rubbing damage to trees). No animals may be killed between 12:00 midnight Saturday and 12:00 midnight Sunday.
6. With the exception of sharpshooting programs conducted on kill permits by City of Lynchburg law enforcement personnel, City of Lynchburg employees, or hired contractors, issuance of kill permits during an open deer season, including urban archery, is **strongly discouraged and not recommended**. Any such permits in effect at the execution of this agreement shall not be renewed or extended.
7. Kill permit damage control activities are limited to the area described on the kill permit.
8. The carcass of any deer killed on a kill permit may be awarded to the landowner or lessee and the meat may be used for human consumption. The carcass and any unused meat shall be disposed of within 24 hours of being killed. Deer may be disposed of by being buried, personal use of landowner, or by donation to, or through, a bona fide charitable organization. The parts of

any deer, including antlers shall not be used for the purpose of taxidermy, mounts, or any public display.

9. No one except those persons specifically listed on the kill permit may assist or be present during the damage control activities. The permit must be carried and available for inspection during damage control activities. State law prohibits persons convicted of wildlife violations from being present, designated as a shooter, or carrying out the authorized activity of the kill permit for a period of not less than two years and up to five years following their most recent conviction. Persons convicted of wildlife violations may be issued kill permits but may not be present, act as a shooter, or assist with damage control activities.
10. The holder of a kill permit shall be subject to local bow and arrow and firearm ordinances, including those regulating the discharge of bow and arrow and firearms.
11. The City may revoke or refuse to issue any kill permit when it has been shown by a preponderance of evidence that an abuse of the kill permit has occurred. Failure to comply with kill permit conditions may also result in criminal prosecution.

12. **Sharpshooting activities conducted within the city by city law enforcement personnel, city employees, or hired contractors (additional requirements):**

When deer kill permit activities (e.g., sharpshooting) are conducted within an incorporated city or town by the city or town law enforcement personnel, its employees, or hired contractors, the following additional restrictions shall apply.

A. There shall be no restriction on the sex of deer killed, but a **strong emphasis should be placed on the killing of antlerless deer**. Additionally, a reasonable effort should be made to recover the carcass of each deer for disposal as described in Paragraph B.

B. A running monthly report/spreadsheet shall be kept and submitted electronically to the Department (matt.knox@dgif.virginia.gov) at the end of each month (within 5 business days) during which any deer culling activities occur. The spreadsheet shall include the consecutive deer number, the date each deer was killed, the approximate GPS location, physical address, or written description of the location where the deer was killed, the sex of the animal, (M or F), whether or not the animal had antlers (Y or N) and if so, the number of points, and the final disposition of each animal including the name of the individual or organization where carcass was donated or other disposal method (e.g., X County landfill). An example is below. All antlers from deer culled from August 1 through April 15 of each year must be removed (sawed off) just below the burr, bound together, and labeled with the deer number and submitted to the Department with the monthly or final yearly report.

No.	Date	Location	Sex	Antlers	Points	Disposition
1	09/15/11	Oak Park	M	Y	8	X County landfill
2	09/15/11	John Doe Property, 123 Main St.	F	N	0	Given to landowner, John Doe Hunters for the Hungry
3	09/15/11	City Cemetery	M	Y	10	

C. A final yearly report/spreadsheet, dates running from April 1 through March 31 of the following year, shall be submitted to the Department (matt.knox@dgif.virginia.gov), no later than April 15. This report shall include all activities conducted under this Terms and Conditions Agreement, which includes all information as listed in Paragraph B.

D. No city or town employee or hired contractor shall utilize or keep any part, including antlers, of any deer killed under authority of a kill permit.

13. The Department reserves the right to immediately suspend operations or activities authorized under these Terms and Conditions (i.e., sharpshooting, issuance of kill permits to landowners, etc.) that it determines to be out of compliance with any provisions contained herein.

Reference: Code of Virginia; 29.1-529.